

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

Robert Lee Randolph, Jr.)
)
)
Plaintiff,)
)
) Civil Action No. 5:18-cv-689-TMC
v.)
)
)
Lee Harter and Cathay Hughes,)
)
)
Defendants.)

ORDER

Plaintiff, a state prisoner proceeding pro se and *in forma pauperis*, filed this complaint against newspaper editor, Lee Harter, and publisher, Cathy Hughes, alleging slander and defamation of character. (ECF No. 1). In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(e), D.S.C., this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge’s Report and Recommendation (“Report”), recommending that this action be dismissed for lack of subject matter jurisdiction. (ECF No. 8). Plaintiff was advised of his right to file objections to the Report. (ECF No. 8 at 6). However, Plaintiff filed no objections to the Report, and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a careful and thorough review of the record under the appropriate standards, as set forth above, the court adopts the magistrate judge's Report (ECF No. 8), which is incorporated herein by reference. Accordingly, this case is **DISMISSED without prejudice** and without issuance and service of process.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

April 11, 2018
Anderson, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.